

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SYED A. BOKHARI, METRO LIVERY, INC.,)
RICHARD J. SIMPKINS, and ALLEN)
VANPLIET,)

Plaintiffs,)

v.)

METROPOLITAN GOVERNMENT OF)
NASHVILLE AND DAVIDSON COUNTY,)
TENNESSEE and METROPOLITAN)
TRANSPORTATION LICENSING)
COMMISSION OF THE METROPOLITAN)
GOVERNMENT OF NASHVILLE AND)
DAVIDSON COUNTY, TENNESSEE.)

Defendants.)

Civil Action No. 3:11-00088
Judge Haynes

**STIPULATION OF DISMISSAL OF DEFENDANT METROPOLITAN
TRANSPORTATION LICENSING COMMISSION**

1. This Stipulation of Dismissal is made and entered into this fifth day of May, 2011 by and between Plaintiffs Syed A. Bokhari, Metro Livery, Inc., Richard J. Simpkins, and Allen VanPliet (collectively referred to as "Plaintiffs") and Defendants the Metropolitan Government of Nashville and Davidson County, Tennessee (hereinafter "Metro Nashville") and the Metropolitan Transportation Licensing Commission of the

Metropolitan Government of Nashville and Davidson County, Tennessee (hereinafter "the MTLC") (collectively referred to as "Defendants").

2. Defendants have moved to dismiss the MTLC (Docket # 36) based on the argument that the MTLC is a part of Metro Nashville and thus the MTLC is not a separate legal entity with its own capacity to sue or be sued;
3. Plaintiffs seek to ensure that any judgment in their favor in this case will prevent enforcement of the challenged provisions of Chapter 6.74 of the Code of the Metropolitan Government of Nashville and Davidson County on the part of both Metro Nashville and the MTLC;
4. Rather than litigate the issue, Plaintiffs and Defendants hereby agree as follows:
 - a. Plaintiffs hereby dismiss, without prejudice, all claims against the MTLC in this lawsuit; and
 - b. The MTLC hereby agrees to be bound by any judgment or injunction rendered in this lawsuit against Metro Nashville.

Respectfully submitted,

BY: s/ Wesley Hottot

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THE DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
SUE B.CAIN (#9380) DIRECTOR OF
LAW

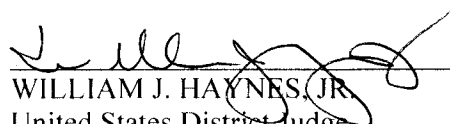
BY: s/ Elizabeth S. Burke

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ATTORNEYS FOR DEFENDANTS
Metropolitan Government of Nashville and
Davidson County and Metropolitan
Transportation Licensing Commission of the
Metropolitan Government of Nashville and
Davidson County

WHEREFORE, based upon the foregoing, the parties' Stipulation of Dismissal is
accepted and, accordingly, Defendants' Motion to Dismiss is DENIED as moot.

IT IS SO ORDERED.


WILLIAM J. HAYNES, JR.
United States District Judge